G.R.S. IX-5]

Previous references.

42-03
269-16
534-15
604-19
553-20

1920.

File No. 562-20

Serial Nos.

Later references.

Muz 71-23-1-7

61-22

Muz 150-27-1-5
310-28.861

Muz 10-29-1-3
8-33-1-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-16

Part B for October 192

SUBJECT

Restoration of Thatahalli Village.

Sanctions the ——endowed to Sri Avani Matt to Rama Gurumurthiah.

G. O. No. 1516-7—Muz 562-2015, dated 12th October 1922.

To—The Muzrai Commissioner in Mysore, returning the enclosures.
The Comptroller to Government.

Printed on the Multigraph.

G. R S. 11] 1920.

GENERAL AND REVENUE SECRETARIAT.

(Inwarding)

NOTES.

File No. 562-20

FILE HEADING.

Resumption of certain inam lands endowed to the Sri Avani Matt and alienated by the Swami Gulu.

From

Gurumurtappa, Banker, Sidlaghatta.

No. Petn Dated 10.5.21 Received 10.5.21

Diary No. 2337 Enclos. 2 Spare Copies — Serial No.

BRIEF ABSTRACT OF LETTER.

Appeals against the order of the Dy Comr, Kolar Dt., directing the resumption of certain inam villages alienated to him by the Swami Gulu of the Sri Avani Matt at Mulbag

NOTES AND ORDERS.

Secretary's order on the P.O.D.
"Call for a report"
JS T.E.J. 10.5.21.

To Sr Subd for appl
C.G. 13/5/21 [illegible] 14/5/21 3 [illegible] 14/5/21

Please [illegible] at [illegible]

NOTES—First Sheet.

[illegible] 14/5/21

G. R. S. III-2]

General and Revenue Secretariat.

Mny File No. 562 of 1920.

Serial No

2 To, Dy. Gandhi. Kolar Distt

No. 4121 dy 16.5.1921

Forwards the petition for early

Sub

3 The Rama Gummuthiah Pt. dy 19.8.21 states with refce to his appeal already ~~[illegible]~~ preferred that the Amildar of Kolar has already taken possession of Hommehally and the Rt. put to great loss, that the Sidlaghatta Amildar is making preparations to take possession of Thattahalli & requests that the Execution of the present order be stayed pending disposal of the appeal.

The appellant says that Hommehalli has already been taken possession of in pursuance of Rgo No. 4355/Mur 435-12-5 dy 22.6.21 directing that all inam lands of the Sri Avani matt be resumed.

Refce is requested to this office Endt. No. 3374 dy 11.3.05 to one Sri Pathiah, Shanbhog of Joti Thatahalli that it had been ascertained from local authorities that the conditions of the lease of the village to Rama Subba Shatta were fair and equitable considering the amt.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Misz File No. 562 of 1920

Serial No.

Spent on improving the lands and that Govt. declined to interfere "in the matter"

6 As regards the leasing of the inam lands of the Avani matt, considerations of money spent therein by the lessees, the advantages derived by such leases to the matt se have to be borne in mind before resumptions are effected. ~~to Govt~~ This seems to be a fit case in which stay of progs. may be granted pending the disposal of the appeals preferred.

7 May this petn. be sent to the Dy Comr Kolar Dt. for an early report and the Dy Comr. requested to order a stay of ~~the order~~ his order pending disposal of this appeal?

[illegible] 19.8.21

X in S. far as it relates to the village in the Sidlagatta Taluk referred to in the petn. A stay order may be passed, having regard to the pronouncement

NOTE—Contn. sheet.

R. S. III-2]

General and Revenue Secretariat.

Mer File No. 562 of 19 [illegible]

Serial No

Made by Govt in this respect in Gos.

10 First member) — UJ 19/8/21

230-103.
20.8.21

approved

Recd
22.8.21 12 Draft UJ 22/8/21

[illegible]
22/8

13 Dft Subd. An Endt. will be sent to the Appellants council after the draft [illegible] is signed & issued

22/8/21

Bd
23/8/21 14 Issue today
UJ 23/8/21

4 To the Dy Comr Kolar Dt No 1095/M7 562-20-[illegible] dy 23-8-21 Forwards appeal Petns Nos 584 & 586 dy 19.8.21 from Ramagurumurthiah of Sidlaghatta praying for a stay of Progs of the resumption of Hommenhalli and Thattahalli inam of the Avani Matt.

15 Draft Endt. is Subd. for appl

Bd
24-8-21 6 Issue now
UJ 24/8/21

Vide a [illegible] 283

5 To, Mr Ramagurumurthiah of Sidlaghatta No 1105 M. Dt. 8.21 — Deferred [illegible]

Rem. to [illegible]
1-10-21
Bdy

NOTE—Contn. sheet

G. R. S. III-2]

General and Revenue Secretariat.

Inuz File No. 562 of 1920

Serial No

~~3~~ 6

From, the Dy Comr, Kolar Dist,

Letter no. 357 Dy 28

Submits report with record called for in Sl. 2.

17 The Dy. Comm's. letter gives full reasons in justification of ~~the~~ his the order of resumption of the inam Villages of Thatihalli and Honnenahalli endorsed to Sri Avani Matt, from Mr. Gummurtiah, petitioner before Govt. Both these Villages ~~are~~ seem Sawamanya to the Matt, and the Conditions of the Grant are not known.

18 A Oft. calling for the inam extract is submitted for appl. or other orders 19 [In his petition Dy 8 12. The petr. has contended that some 60 years ago his father for the village from the Matt on Kayam Gutta terms

Draft letter to Inam Supt may be appd.

15/11/21

Issue the Inam Extract is not Cancelled in the previous files U f 17/11/21

Issue

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Muz

File No. 562 of 1920

Serial No	
7.	To, Inam Supt in MYS — No 2618 dy. 22 11 21 Calls for extracts of the Inam Regr pertaining to the villages in question
8	From the Inam Supt No. 145 dy 17. 12. 21 Sends the Inam Extract asked for.
D 2523 9	From M. Srinivasa Rao Esqr. Advocate for the petr. Rama Gurumurthaiya. Prays that the execution of the G.O. No. 4355/Muz 435-12-6 dy 22-6-21 so far as Honnenahalli is concerned be stayed pending the disposal of the appeal and the village which has been taken possession of by the Amildar be restored to his possession & states that the liability of the Matt will be enhanced if he is not put in possession of the lands at once.
~~D 25[illegible]~~	~~From Mr. M. Ramachandra Rao, Advocate, on behalf of the Avani Matt.~~ Subd for orders — The Dy Comrs Report has been received & is full. If Mr. a hearing may be given to the Appellant

SD 4.1.22

RL 5/1/22

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 19

Serial No

33 [illegible]

[illegible] The petn is on the [illegible]

[illegible] This is not the appeal petn. It was filed [illegible]

26 The petition filed on 19-8-21 was forwarded to the D.C with this office No 1095 Serial 4 and was not received back along with the records Subd with a draft calling for the same.

[illegible] 5/1/22 [illegible] 6-1-22

Arrived [illegible] 6/1/22

10 To The Dy. [illegible], Kolar [illegible] no: 3503 dated 10 [illegible] Calls for the [illegible] 19 8 21 [illegible]

11 From the Swamigalu, Avani matt. Petn [illegible] 20 12 21 Requesting that resumption of Mattawally & Hommenhally may be cancelled & that they be retained in the possession of its lessee.

NOTE—Contn. sheet

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

28 The Swamigalu requests that the resumption of Mathahally & Honnehalli may be cancelled & that they may be restored to the Tesaco to whom they have been given for Rs 20 years on advantageous terms.

The appeal Petn called for from the Dy Comr will be awaited. On its receipts the subject will be thoroughly [illegible].

[signature] 10/1/22 [signature] 17/1/22

12. From, the Dy. Comr, Kolar Distt

Letter no. 357 Dy 7. 2. 1922.

Re-transmits Rama Gurumurthiah's appeal petition Dy 19th August 1920.

P.W.O.

30 The Villages of Honnenahalli and Jatihalli whose resumption has been ordered by Govt on account of the mismanagement of the endowments by the present Swami of Sri Avani Matt, are Devadaya inam Villages intended for the support of the Matt.

31 The appellant appears through an Advocate, and if directed, the appeal will be posted for hearing.

Submit. for orders

[signature] 11.2.22. [signature] 11/2/22

Contn sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Inv File No. 562 of 19 [illegible]

Serial No.	
	A [illegible]

NOTE—Contn sheet.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Lease of the main villages endowed to Sri Avani Matt – Mrs 7 562-20

Secretary's order Dy 11.2.22:
"A note should be put up".

The available records on the case were fine through. There is not sufficient matter for the submission of a satisfactory note in this case.

Neither the originals nor copies of the lease-deeds pertaining to the 2 villages in question are available in the records, and in front these [illegible]

N B —Should routine notes be written on small slips the notes must be copied, or slips pasted on this form

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record

not possible to make out what exactly are the terms of the deeds.

Seeing that a stay order has already issued in this case, with a view to save delay, may the applr. be

upon to produce these documents within a time to be specified

Submit for orders

15.2.22

15/2/22

Get them in the Govt. of the month. But why did the case work [illegible] without the file

On 1-2-22 without [illegible] [illegible] [illegible] [illegible]

N.B.—**Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.**

(12)

Mwz 562-70

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Submitted with a Dft. and t.

In the office-note of the 11th inst., a suggestion was made that the party might be heard in person. And if that had been allowed, he would have produced at the time of hearing, these documents.

But now, the Subm. of a note is directed and it was suggested that the orgl. documents might be called for, though abstracts thereof are on record, as the Secretary invariably looks into the orgl. documents themselves in such cases.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Sd/- 20/2/22

18

To Mr. Ramagurumukhi
Note 20/2/22
Calls for the original
for the Kaiar

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

14/ From Rama Sunu
Muntiah.
Petition Dy 2.3.22.
Submits the Lease-
deeds other documents.

N.B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

Serial No.

Note

The Jodi Village of Hatahalli in the Siddlaghatta Taluk is a Devadaya inam intended for the support of Sri Avani Matt, Mulbagal Taluk.

Under the regd lease deed Dt 15th January 1892, Sri Vidyaranya Bharati Swami, predecessor of the present Swami, leased out permanently the inam Village in question to Rama Subba Bhatta, father of the present petitioner Rama Gummurtiah subject to the payment of an annual Gutta of Rs 600/- inclusive of Jodi and cesses. On complaints from the Village Sanbag in 1893, about the permanent lease of the inam Village, it was reported on a requisition from this office that the rental was equitable considering the condition of the land and the improvements viz restoration of 2 dilapidated tanks at an outlay of Rs 3490, and improvements to the lands by sinking wells, which had to be

NOTE—Contn. sheet.

R. S. III-2]

General and Revenue Secretariat.

Mez File No. 562 of 1921

Serial No.

effected at the time when the lease was granted

40) As the Matt endowments were not then under the direct management of Govt, and as the terms of the lease were reported to be fair, the Sanbag was informed by an endorsement (no. 3374 dy 11-3-1905) that Govt declined to interfere in this matter.

the conditions of the lease of the village were fair & equitable considering the amt spent on improvement of the lands & that

The Dy. Comr has reported that if it should however become necessary at any time to resume the inam or take the village under Govt management, such resumption or assumption would cancel the tenure created by the Swami of the Matt and this point is noted in page 2 of the office note in F. no. 42 of 1903-4.

41) On the presumption that Govt have countenanced the permanent leasing out of Jodi Jatahari to his family (at any rate, the present Swami thinks so), Kam Summurtiah has obtained

NOTE—Contn. sheet.

G. R. S. III-21

General and Revenue Secretariat.

Muz File No. 562 of 19 21

Serial No.

from the present Swami, the lease for a period of 80 years, of ~~the~~ ~~in~~ another Matt inam Village of Honnenahalli in the Kolar Taluk, subject to the payment of an annual Gutta of Rs 375 for 10 years, and thereafter, an annual Gutta of Rs 400/- (Vide Regd lease Deed Dy 9-9-12) viz owing to the gross mismanagement of the endowments by the present Swami, Govt have resumed in their order No. 4355/Muz. 435-12-6 Dy 22-6-21 the inam Villages etc. endowed to the Matt, and in pursuance of this order, the Villages of Tatahalli and Honnenahalli have come under Govt management viz Rama Gurumurtiah has now approached Govt. praying for the restoration of these Villages to him, and the Swami of the Matt has also supported him.

(4) As regards Honnenahalli

NOTE—Contn. sheet.

G. R. S. III-21

General and Revenue Secretariat.

Muz File No. 562 of 192

Serial No.

which was leased out in 1912 for a period of 80 years, the petr alleges that he has spent more than 2000 Rs for the improvement of this village and has commenced improvement works estimated at Rs 5000/- The present Sranie who is supporting the petr, states with regard to this village that the lessee has invested Rs 2000/- and has advanced Rs 500/- towards effecting further improvements. ~~[illegible]~~ The Amildar in his report No. 140 D 30.7.1921 ~~[illegible]~~ says that ~~[illegible]~~ of the Sranie ~~[illegible]~~. On an inspection in the presence of the petr, Sambog Patel & others, ~~[illegible]~~ he formed ~~[illegible]~~ that the petr has sunk 2 mud wells (without the stone revetment) which are now in ruins, having no water and being of no use whatever, ~~that~~ another old well known as "Nagaraju Bhavi" which

NOTE—Contn. sheet.

G. R. S. III-21

General and Revenue Secretariat. Muz File No. 562 of 1920

Serial No.

irrigating the lands, has been repaired by the petr at a cost of Rs 150/-, and that a house at a cost of Rs 500/- has been constructed by the petr at some distance from the village solely for his occupation whenever he goes to the village when his place is infected by plague and that this house is of no use whatever to the ryots.

44A Even with regard to Jakahalli village, it is a point for consideration whether the endt of March 1905 to the village sanbag declining interference will have to be construed as confirming the perpetual lease as presumed by the petr. Govt have held that the Swami is a mere trustee of these villages and have condemned and cancelled the perpetual not to speak of, long leases, as binding the instn to a fixed sum. This village was not in 1905 under Govt manag

NOTE—Contn. sheet

G. R. S. III-21

General and Revenue Secretariat.

Muz File No. of 19 .

Serial No.

and as the terms of the lease were then reported to be fair, interference with it was declined. The petr is in the enjoyment of this Village for (1922-1892) 30 years past, and it is not known what profits to make up for the cost of improvements, he has ~~ad~~ enjoyed. The Dy Comr has also reported that in case of resumption or assumption by ~~the ter~~ Govt, the terms created by the ~~previous~~ Sunnis will cease.

Muz. F. No 553-1920 relating to the cancellation of the lease for 99 years, of the inam lands endowed to Sodhuriah's Math is submitted. Attention is respectfully invited to the Secretary's observations in the Office note.

Submitted for orders with regard to Jatahalli Village, a Stay order [illegible]

15.3

The case may perhaps be posted for hearing

15/3/22

NOTE—Contn. sheet

3075

G. R. S. III-2]

General and Revenue Secretariat. | Muz File No. of 19

Serial No.

47 Put up all orders to the effect that land leases amount of alienations vide Sec 283 Rev Manual of page 78 Muz Manual. Not only the decisions referred to were but all other similar decisions should be put up. My object is to discuss the validity of the order dated 11-3-[illegible] flagged [illegible]

[illegible]

48 A printed copy of G.O. no. 4356-64 p. Muz. 76-01 Dy 6-3-1907, and Muz. F. nos. 553-1920, 269-16, 259-16, 534-15, and 604-19 on the subject of alienations, are submitted.

[illegible] 18.4.22. [illegible] 19.4.22

49 I want to discuss the effect of the passing of the Muzrai Regn on the old rules relating to alienation of Devadaya Inams.

I am told this has once been discussed already.

Please put up those refces

[illegible]

This has previously been discussed [illegible] decided that the Inam rules still remain unaffected

[illegible] 30/5 [illegible]

NOTE—Contn [illegible]

The following references have been taken from this file & put up with

Muz D no 5135
21-22

1) Muz 772-08
(Sls 1-12)

2) Go no. 4356-61
Muz. 16-01
& 6-3-1907

3) G.O. no 517-25
Muz 1115-16-8
& 29-8-17

26/6/22

G. R. S. III-2]

General and Revenue Secretariat.

e No. of 19

Serial No.

53) Muz. F. No. 798-18 relative to the Akhal Sha Khadri Darga Lands is submtd. Attention is respectfully invited to the discussions contained in paras 23, 24, 31 and 33 of the office-note therein

AV
31.5.22

May be sub^d to her [illegible]

Sign.

55 In endorsement of 337/4 dated 11 Feb 1905 My File 42 of 1903-04 it was held by Govt that the perpetual lease of the Jadi Village of Thakkhali by the Chaini of the Avani Mutt to which it has been endorsed as an Inam did not amount to an alienation ~~and that the~~ (Vide notes in that case) and Govt declined to interfere with the [illegible] [illegible] [illegible] it has been

NOTE—Contn sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19[illegible]

Serial No.

No 4350-04 [illegible]

[illegible] that every [illegible] leases, not to speak of permanent leases, are considered to be practically temporary alienations (Rule 78, Muz Manual)

Leases of service Inam lands have been declared invalid.

58 The endorsement [illegible] to above would appear to require [illegible]

57 I have gave the right to reconsider it and to cancel should they consider that it is wrong?

58 Forwarded with compliments to the Govt Advocate for [illegible] at [illegible] point

[illegible]

The endorsement dated 11-3-05 (No 3374) does not purport to decide that a perpetual lease is not an alienation

GEN. & REV. SE[illegible]ARIAT VII MUZRAI

W. O. No 24 [illegible] 27 [illegible]

No 77 | 22-23 By 4.8.22

NOTE—Contn sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

The enquiry in the case was started in consequence of certain petitions presented by one Shanbhogue Sreepathiah from 1893 onwards, complaining that the village in question had been leased out in perpetuity and that as this amounted to an alienation the village might be taken under Government management. After a careful investigation by the local authorities it was ascertained that the annual rent of Rs 400 fixed under the perpetual lease was fair and equitable and that a large sum of money had been spent by the lessee in restoring some tanks and constructing a temple. Under those circumstances an endorsement was issued to the Shanbhogue in March 1905 intimating that Government had decided not to interfere in the matter.

Though this decision

NOTE.—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

of Government embodied in the endorsement does not lay down that the perpetual lease was not an alienation, it may be taken to have the effect of according the sanction of Government to the lease in question.

62 The lease is dated 15/1/1892, the first complaint was in 1893 and Government after a careful enquiry, decided that the arrangement was fair and equitable in 1905, more than 17 years ago. Should any further action be decided upon after the lapse of such a long time, the lessees or their representatives are sure to put forward various contentions & the most important of them ~~being that~~ is likely to be that Government are now estopped from reopening the question. They are also likely to contend that they have spent large sums of money after the above decision, for further

NOTE—Contn. sheet.

G. R. S. III-2

General and Revenue Secretariat

Mrs File No. 562 of 1922

Serial No

further improving the village, relying upon the aforesaid decision of Government.

63 In view of the above considerations I am of opinion that it is neither just nor fair that the previous decision should be annulled. Legally also there are likely to be difficulties and it would therefore be better to drop the question.

Mr Ambrose
Govt Advocate
3/8/22

Recd. 4.8.22
Subd. to the Rev Sec.
[illegible] 4.8.22

It appears to me that the order of 11 Feb 1905 requires re-consideration, but in view of the opinion expressed by the Govt Advocate, the appeal may be allowed.

A

First Member) [illegible] 5/8/22

136.
5.8.22.

A I also share this view; still in the light of that the G.A. has given as his opinion, in this case the appeal may be allowed & the A.C.'s order set aside.

NOTE—Contd sheet.

[illegible]
8.8.22 [illegible]

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

66) Orders are solicited with ref. to the other inam village of Honnenhalli which has been leased out by the Inami for a period of 80 years to the app. [illegible] The facts [illegible] village are [illegible] of the [illegible]

67) Submitted [illegible]

[illegible] 9/8/22

68) The lease for 80 years of the Honnenhalli village is clearly an alienation and cannot be recognized. Appellant has no right to remain in possession of this village. First Member

A

[illegible] 10/8/22

1360-300
11.8.22

A 69) I agree

[illegible] 12.8.22 70 Draft [illegible] 18/8

71 Dpt. G.C. Submitted

[illegible] 17.8.22 [illegible] 17.8.22

NOTE—Contn. sheet.

R. S. III-2]

General and Revenue Secretariat.

Inam File No. 562 of 1920

Serial No

Draft order has been suitably revised as indicated by the Secy 1st 11th appt.

29-8-22

2477-133
24.9.22

First Member) 29/8/22

Draft approved

25.9.22

15 To The Muzrai Commr. in Mysore Comptroller to Government No: dated October 1922

Orders the restoration to the Appellant the village of Tatahalli in the Sidlaghatta Taluk & Confirms the order of the Dy: Commr., ordering the resumption of Inam Honnekhali village in the Kolar Taluk.

Please put up a draft Endt. to Appellant

16-10-22

NOTE—Contn. sheet

G. R. S. III-21

General and Revenue Secretariat. | Mrz File No. of 19

Serial No.

Aft. cond. ~~[illegible]~~ to the appellant

Mrz - Subd. for app.
14.10.22. [illegible] 17.10.22

16 To Ramaguru Murthiah, Sidlaghatta
Endt no: 1611 dy 25th Oct 1922
Informs that Govt. have ordered in Govt. proceedings no: 1516-7/Mrz 562-20-15 dy 12.10.1922, directing the restoration to him of the Jodi Village of Tathahalli in the Sidlaghatta Taluk & confirming the Dy. Commr. order, directing the resumption of the Inam Hommenhalli Village in the Kolar Taluk - and returns the enclosures to his petition

NOTE—Contn. sheet.

2337 DIARY No. 2337

1920 21

SECTION

FILE No. 562-20

SERIAL

[illegible]

[illegible]

(6) [illegible]

[illegible]

No. 3374
11.3.05 [illegible]

[illegible]

[illegible]
[illegible] 1913 [illegible]
[illegible]
[illegible] 1/4 [illegible]
[illegible]
[illegible] No. 3374 / 11-3-08 [illegible]
[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

21 [illegible]

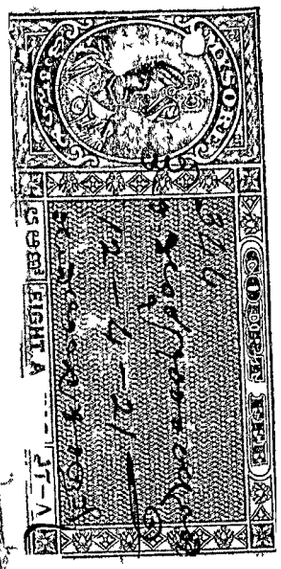
Deputy Commissioner's office.
Kolar District
Dated 6th August 1920.

H.C No. 357/19-20

Official Memorandum.

As Government have in their order No. 4355/muz 1 5-12-6 dated 22nd June 1920, directed that steps should be taken in accordance with the rules laid down in the late chief Commissioner's Notification dated 17th November 187 for the resumption of such of the Inam lands endowed to the Sri Avani matt in the Mulbagal Taluk, as have been alienated by the Swamigalavaru of the matt, the Sub Division officers of Chintamani and Kolar are requested to take immediate steps for the resumption of all Inam lands and villages of the matt that are found to be alienated in addition to the villages noted in the margin, which are reported to have been alienated by the Swamigalavaru of the matt. The action taken should be reported early. As the matter is of great importance, the Sub Division officers are requested to give their personal attention and to arrange

Sidlaghatta T
Kolar Taluk
Godi Th
Sarvamanya
" "
Malur Taluk
Kayamguthe Higiganahalli
and a minor Inam in the Village of Buradagunte
Gollahalli
Hammahalli
Vardenahalli



34 The submission of de

early as practicable.

Compared

(Intr... Mech) Mz

...ommissioner

Deputy C...

Copy

R.V. Sinappa
District Sheristadu

Copy applied for on 28-3 21
copy ready on 6-4 21
copy deliverd on 13 4 21
No. of words. 209
Copying fee 0-6-0
Comparing fee 0-1-0
Paper ... 0-0-3
Total 0-7-3

GOVT. OF H. H. THE MAHARAJA
OF MYSORE.

GEN. & REV. SECRETARIAT.

OFFICIAL MEMORANDUM.

No 4121 Encl/Copies
Mrz 562-20

Dy. 16/5/21

The accompanying Petition Registered No 2337 dated 10-5-21 received at the General and Revenue Secretariat from Gurumurtiah, Banker, Sidlaghatta, appealing against the order of the Dy Commr, Kolar Dt., directing the resumption of ~~Ex~~ inam villages alienated ~~in the [illegible]~~ by the Swamiguru of the Sri Avani mat at Mulbagal,

in the Sidlaghatta Taluk

the village of Thatthalli granted to him on Rayangutta tenure by the Swamiguru of the Sri Avani mat and of Sarvamanya Honnenahalli in the Kolar Taluk leased out to him by the said Swamiguru in 1913

is forwarded, together with its enclosures, to the Dy Com & Kolar District for Bangalore report with connected recd

By Order.

14/5/21

Secretary to Govt.

Mrz [illegible]

14/5/21

BANGALORE,
.....191 .

~~P. T. O.~~

P. T. O

13/5/21

GPB—1,000—8-8-18

ಅರ್ಜಿದಾರ್ [illegible] ~~ಕಾಲ್ಲೂಕು~~ [illegible]

~~[illegible]~~ ~~ಹೋಬಳಿ~~

[illegible] ~~ಗ್ರಾಮದಲ್ಲಿನ~~

[illegible] ಗೆ

ಇಂಡಾರ್ಸ್ ಹುಕುಂ.

[illegible]

~~[illegible]~~ ನೀವು ಗುಜರಾಯಿಸಿಕ್ಕೊಂಡ 10.5.21

ಮರ್ಕುಮಿನ ಅರ್ಜಿ [illegible]

[illegible] ~~ರವರ ಬಳಿಗೆ ಕಳುಹಿಸಿದೆ.~~

ಬೆಂಗಳೂರು,

.....191 .

No 4122 -

7.16/5/21

[illegible]

10.5.21 [illegible]

[illegible]

By Order,

[illegible] 14/5/21

Secretary to Govt.

[illegible]

14/5/21

[illegible]

14/5/21

COURT FEE — MYSORE — ONE RUPEE

COURT FEE — MYSORE — ONE RUPEE

DIARY 584

21 22

SECTION Muz

FILE 562-20

3

Muz 562-20

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Petition No. of 1921-22.

Petitioner.- Rama Gurumurthaiya, son of Subba Bhatta, residing at - Sidlaghatta, Kolar District.

Under Section 216 of the Mysore Land Revenue Code.-

The petitioner humbly begs to state as follows.-

1. That he has preferred an appeal against the order No.4355/Muz. 435-12-6 dated 22nd June '21 for the resumption of the Villages of Thathanalli and Honnenahalli.

2. That the above said order is unsustainable for the various reasons set out in the appeal memo.

3. That the Amildar of Kolar has already taken possession of Honnenahalli in pursuance of the above said order and the petitioner has been

Presented on 19 August 1920 by Mr Sreenivasa Rao advocate 2 Punch Stamp 3 Work up & Submit immediately. [illegible]

The Petition is not signed either by the Party or his counsel!

[illegible] 22.8.21

[illegible] 23/8/21

38

put to very considerable loss by such resumption without previous notice and without giving an opportunity to the petitioner to be heard.

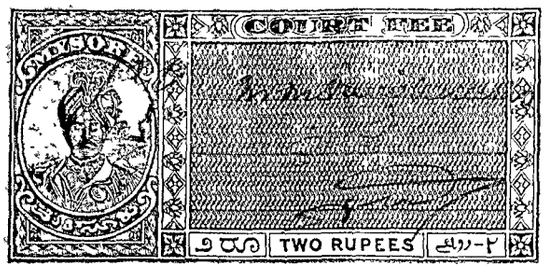
4. That the Amildar of Sidlaghatta has also been making preparations to take possession of Thathahalli and if he does so petitioner is - sure to suffer very material and substantial loss.

5. That the petitioner feels confident that the Government will be pleased in appeal to set aside the order now passed.

Wherefore the petitioner humbly prays that the execution of the present order be stayed pending disposal of the appeal.

BANGALORE,
15 August 1921

M. Srinivasa Rao.



BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA

OF MYSORE.

Petition No. of 1921-22.

Petitioner.- Rama Gurumurthappa, son of Rama Subba Bhatta, residing at Sidlaghatta, Kolar District.

Petitioner humbly begs to state as follows.-

1. That Thathahalli, Kasaba Hobli, Sidlaghatta, Kolar District, which is a Jodi Inam - Village paying Rs.25/- towards Jodi and Rs.13-6-0 towards quit rent owned by the Sri Avani Hatti, Mulbagal Taluk, has been leased to petitioner's late father Rama Subba Bhatta by Sri Vidyaranya Bharathi Swami, the late Guru of the Hatti by - Registered Lease Deed dated 15th January 1892.-

(a) That the conditions under which the above lease came into existence were-

(1) That the only tank that existed then was breached and the lands lying under it were fallow.

40

(2) That the Matt was not in a position to invest very large sum for the repair - of the same.

(3) That the total income from the village was about Rs. 250/- every year.

(4) That the village had been given on - 'hangami' tenure and was in the possession of tenants for 30 years previously.

(b) That the terms of the lease are-

(1) Enhancement of rent by raising the same to Rs.400/- per annum, to be paid annually;

(2) lessee repairing the tank at a great cost to the satisfaction of the Matt Authorities and improving the - village without the right to be reembursed in case of forfeiture;

(3) lessor reserving the right to re-enter on forfeiture of any of the conditions of the lease;

(4) lessee confirming the rights and privileges vested in the tenants that were living in the village giving an undertaking not to interfere with such rights;

(5) lessor reserves the right to cut and remove timber;

(6) lessee to furnish annual account of the income & expenditure of the - village to the lessor;

(7) lessee to be subject to the condition of services and payments due to the Matt as per Mamool from the - village.

(c) That the lessee has in pursuance of the terms of the lease-

(1) Repaired the tank under disrepair at a cost of Rs.4,000/-.

(2) Built a new tank at a cost of Rs.2,500/-.

(3) Has dug up 10 big wells and revited one of them with stoves completely all at a cost of Rs.8,000/-.

(4) Planted at great cost 200 grap mango trees, 5000 Honge trees & 5000 Casuarina trees.

(5) Has brought under cultivation more than 200 acres of land which was lying waste at a cost of about Rs.4000/-

(6) Has induced 20 new families of ryots to settle in the village by - building houses for them, by giving

3. That the petitioner learns that the - Government have by their order No.4355/Muzrai. 435-12-6 dated 22nd June 1920 directed steps to be taken in accordance with the Rules laid down in Notification of 17th November 1877 for resumption of the two villages.

4. That in pursuance of the above said order the Amildar of Kolar Taluk has taken possession of Honnenahalli village in the month of March 1921 and has collected the rent and produce of the - village for the year 1920-21 to the prejudice and annoyance of the petitioner and this has caused considerable loss to petitioner.

5. That the Amildar of Sidlaghatta has also been making preparations to take possession of - Thathahalli in pursuance of the above said order and has given an endorsement dated 1st July 1921 herewith produced.

6. That the order No.4355/Muz. 435-12-6 dated 22nd June 1920 could not be sustained for the following grounds.-

(1) That the application of the rules under Notification dated 17th November 1877 to the facts of the case is not - correct.

(2) That the conditions of the grant being duly fulfilled the resumption is irregular.

(3) In case the Institution is not managed in proper condition, displacement of the Guru - should have been ordered and not resumption of the Inam Lands.

(4) That rules laid in Rule IX of Chapter IV of the Muzrai Manual with regard to Matt ought to have been followed in the case.

(5) That in the absence of any applications by the Swami in the absence of any complaint of mis-management by the Matt, and without any enquiry and report by a Committee appointed for the purpose and approval of such report, the - order of resumption is incorrect.

(6) That under any circumstances the leases in favour of the petitioner subjected to as - they are to several conditions would not fall under the term 'alienations' and are therefore not liable to be set aside.

(7) That whosoever may be managing the village whether Matt or Government, there is no reason why possession should be taken away from the - petitioner who is paying a highly reasonable, equitable rent, and is willing and ready to pay in accordance with the terms of the Lease Deeds.

(8) That the present order passed behind the back of the petitioner without considering his claims and previous orders of the Government - has caused very considerable and material loss to the petitioner.

(9) That resumption of the Inam if any under the circumstances should have effect only to dispossess the land-lord and not the tenant.

(10) That the order is otherwise unsustainable.

For these and other reasons, the petitioner humbly prays that-

(1) the Government may be pleased at any rate to set aside that portion of the order that relates to the actual physical possession of the villages of Thathahalli and Honnenahalli by Government, a n d

(2) Order the petitioner to pay to Government the rent due on the said villages instead of the Watt Authorities, with such further or other directions as may be necessary under the circumstances and incidental to the facts of the case.

BANGALORE,
9th August 1921

[signature]
Adv

N.B.- That the petitioner preferred a petition on 10th May 1921 about the same subject and the matter has not yet been disposed of.

[illegible]

[illegible]

[illegible] 29.4.1921 [illegible] 59 [illegible]

[illegible]

[illegible]

[illegible] 1.7.21. [illegible]

5/7/21

COURT FEE

೨ ರೂ TWO RUPEES ೨೫-೨

Before the Government of his Highness the Maharaja of Mysore

ಕೋರ್ಟಿಗೆ.

~~1920—21~~ ನೇ Petitions No. ನಂಬರು 21-22.

~~ಪಾದಿ ಯಾ~~ ಅರ್ಜೀದಾರ್. ಪ್ರತಿವಾದಿ ಯಾ ಅಪೋನೆಂಟ್.

Rama Gearum or Tha M

Vs.

~~ಮ॥ ರಾ॥~~ M. Srinivasa Rao Esq. B.A.L.L.B. Ad 220 Cole Tr.

For Petitioners ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮಾ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಖ್ಯೆರುವರುವಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರಗಿಸುವದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು ರೀಫಂಡು ಸ್ಟಾಂಪು ಮೊಬಲಗು ದಸ್ತ್ಯೆವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡೆಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿಧೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪಿ ಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇಧೇನೆ.

ರುಜು [signature]

ಈ ಮೊಕ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ತರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ. } ಈ ಮೊಕ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇಧೇನೆ.

M. Srinivasa Rao

ತಾರೀಖು

Sri Venkatesa Press, Bangalore City

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 17.11.1877 [illegible]

[illegible]

[illegible]

[illegible] steps [illegible].

22-6-20 [illegible] 4335/Mus 435 12-6 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Very urgent

1095 Sec: four

Inv. J. 562-20-4

23rd Augst 21

To

The Deputy Commissioner,

Kolar District, Kolar.

Sir,

In continuation of this office official Memorandum No. 4121/Muz.562-20-2 dated 16th May 1921 calling for an early report with connected records on the petition of Gurumurthiah, Banker, Sidlaghatta, appealing against your order directing the resumption of the inam villages of Honnenahalli and Thathahalli endowed to the Sri Avani Matt. I am directed to forward herewith petitions registered No. 584 and 586 dated 19th inst., received from Ramagurumurthiah of Sidlaghatta, praying that orders may be issued to stay further proceedings to resume the two -- villages in question in pursuance of Govt., Order No. 4355/Muz.435-12-6 dated 22nd June 1921 and to request that pending the disposal of his appeal, ~~the execution of~~ further -- proceedings so far as the village of Thathahalli in the Sidlaghatta Taluk is concerned may, ~~in view of the pronouncement made by Government in their Endorsement No. 3374 dated 11th March 1905 to one Sripathiah, Shanbhog of Jodi Thathahalli,~~ be stayed and the report called for in this office communication cited above submitted at a very early date with the entire records.

I have etc.,

23/8/21

Secretary to Government,
Muzrai Department.

23/8/21

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

No. 1105
In P. 562-20-5
Dy.
To Mr Ramaguru murthiah
Banker
Sidlaghatta.

—

Endt

With reference to his ~~[illegible]~~ ~~[illegible]~~ petitions Nos 584 & 586 dated the 19th ~~[illegible]~~ August 1921 appealing against the Dy Comrs order directing the resumption of the inam villages of Honnenhalli and Thatahalli endowed to the Sri Avani Matt, Mr Rama Gurumurthiah Banker, Sidlaghatta informed that the ~~Dy Comr Kolar Dt~~ Pctns have been forwarded to the Dy Comr Kolar Dt for submission of a report with connected records ~~and the order hence~~

~~been issued~~

And that the Dy Comr has been requested to stay further proceedings in respect of the Mattaanalli village in the Sri Raghatta Taluk.

By order

24/8/21

Secy Mae Dept

24/8/21

1124

DIARY No. 1315

21 22

FILE No. 562-20

From

The Deputy Commissioner,
Kolar District.

To

The Secretary to the Government of Mysore, Revenue Department, Bangalore.

Dated the 26th September 1921.

Despatched

Received

General No.

No.

Enclosure No.

Submitting report on the petition of Gurumurthia, Banker, Sidlaghatta, appealing against my order re: the resumption of the villages of Thathahalli and Honnanahalli, endowed to the Sri Avani Math.

Office of the Deputy Commissioner, Kolar District.

RMC 357/19-20 Dated Kolar, the 26th September 1921.
Ex 1 pte

From

Md. Zahiruddin Mecci, Esq.,B.A.,

Deputy Commissioner, Kolar District.

To

T. E. Jayarama Iyer, Esq.,B.A.,B.L.,

Secretary to the Government of Mysore,

Muzrai Department, B a n ga l o r e.

Sir,

Adverting to your official Memorandum No:4121/Muz:562-20-2, dated 16th May 1921, calling for report on the petition of Gurumurthia, Banker, Sidlaghatta, appealing against my order, directing the resumption of the village of Thathahalli in the Sidlaghatta Taluk, granted to him on Kayamgutta tenure by the Swamigalavaru of the Sri Avani Matt, and of Sarvamanya Honnenahalli in the Kolar Taluk, leased out to him by the said Swamigalavaru in 1913, I have the honor to state as follows:-

2. The villages, referred to in the above, are Devadaya villages, endowed to the Sri Avani Matt. Orders were issued to the Sub Division Officers concerned, for taking immediate needful steps for the resumption of all the inam lands and villages of the Matt that are found to have been alienated, (in accordance with Government Order No:4355/Muz:435-12-6, dated 22nd June 1920).

3. The village of Thathahalli, in the Sidlaghatta Taluk, was leased out in January 1892 by the Guru of the Institution, to one Ramasubbabhatta of Kolar, to be enjoyed by him and his heirs, in perpetuity. Vide letter to the Government, No:4508-1403, dated 27th May 1895, by Mr. C.Madaiah, the then Deputy Commissioner. The lease in question is also admitted by the Swamigalavaru, Vide list, submitted to the Government by the Swamigalavaru, with his Srimukha, Registered No:2057/452, dated 6th May 1919. As long leases are tantamount to alienation, the village in question, was ordered to be resumed.

3. As regards the improvements, effected to the village of alli, it was reported to the Government by Mr.K.P.Puttanna Chetty.

the then Deputy Commissioner in his letter No:2087/205, dated 12th October 1904, that the lessee had, since the date of the lease, restored at his own cost, two dilapidated tanks, at an outlay of Rs.3,490/- that he had improved the lands by digging irrigation wells, that he had constructed a temple in the village, at a cost of Rs.1,000/- that the lessee had been regularly paying the rental of Rs.400/- in accordance with the conditions of the lease deed, and that it was not fair to deprive him of his tenancy, which he might be allowed to enjoy, subject to the fulfilment of the conditions of the lease. On this report, Government declined to interfere with the lease, relating to Thathahalli. It is this Government Order that the petitioner alludes to, in his petition. According to the petitioner himself, no further action has now been taken in the matter of the resumption of the Thathahalli village, than the issue of a notice.

4. It is reported by the Amildar of Kolar, in case of the Inam village of Honnenahalli, that the petitioner has improved a well, at an estimated cost of Rs.150 and constructed a dwelling house for his own use, outside the village, that the statement of the petitioner that improvements were effected for improving the wells, at a cost of Rs.2,000/- cannot be relied on, that a sum of Rs.808-15-10 was realised from the collections, made during the year 1920-21 and credited to the Treasury and that the petitioner has taken the lease, at an annual rent of Rs.400/- in 1913.

5. As it was pointed out by the Swamgalavaru in the list, submitted by him to the Government, with his Srimukha registered No:2057/452, dated 6th May 1919, that the lessee is not paying the lease amount of Rs.400/- regularly, in case of Thathahalli village and that he has taken a loan of Rs.2,000/- on the Inam Villages of Honnenahalli, steps were taken for the resumption of the villages referred to, in accordance with the orders of Government.

Recently, on the receipt of your letter No:1095/Muz:562-204

dated 23-8-1921, orders have been issued that further proceedings in the matter of the corruption should be stayed.

7. The vernacular file of correspondence, ending with the Kolar Sub Division Officer's No:33, dated 1st August 1921, is herewith submitted for reference.

I have the honor to be,
Sir,
Your most obedient servant,

Treasury Assistant Commissioner,
For Deputy Commissioner,
Kolar District.
(absent from station.)

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to

Section [illegible]

File No. [illegible]

Serial No 7

General and Revenue Secretariat

( )

, *the* *191*

No. 2613

Date of issue 22-11-21.

Signed by Mr. T. E. J. Aiyar

To

The Inam Supdt.
in Mysore,

Sir,

I am directed to request that you will be so good as to send up for ref. copies of the detailed inam register pertaining to the grant of the villages of Siddlaghatta [illegible] Thutihalli and Hoveen Sholar [illegible] as [illegible]

over.

benefit of Sri Avani Matt
in the Mulbagal Taluk

I have etc.

Mrs. Seaby

15/11/24

List of enclosures.

Copied by

Examined by

28381

No. 145

From

Office of the Superintendent,
Mysore Revenue Survey,
Dated, Bangalore 17th December 1921

D. K. Darasnah, Esq., B.A.,

Superintendent of Revenue Survey and
Inam Settlements in Mysore.

19 DEC 1921

To

DIARY No. 2482

T. E. Jayarama Iyer, Esq., B.A. B.L.,

Secretary to the Government of
the Maharaja of Mysore,

Muzrai Department.

Sir, 562-20

As requested in your letter No.2018 of the 22nd November 1921, I have the honor to forward herewith copies of Inam Register pertaining to the grant of Thatihalli, Sidlaghatta taluk, and Honnenahalli, Kolar taluk as Inam for the benefit of Sri Avani Matt in the Kulbagal Taluk.

I have the honor to be,

Sir,

Your most obedient servant,

Superintendent.

LSR.

Register Sheet No. 272
Taluk - Kolar
Village - Hannenahalli
S.M.

Copy of the Register of Inams in the village of Honnenahally Em. in the

CLASS, EXTENT AND VALUE OF INAM

Number of case or entire holding under one grant in this village	General class to which the Inam belongs	Survey No. and name of field or fields comprised in the grant. Dry, wet or garden	Extent: Local measure. Even where the local measure is in acres, guntas, and annas, it is to be entered in this column	Extent: Measure in acres and their fractions in decimals
1	2	3	4	5

As per measurement made by the Sarvamanyamdar

Matt Inam

Total Akat.

Dry	18 - 2 - 13½	239	88
Wet	13 - 1 - 9	27	02
Bagayet	0 - 4 - 16¼		51
	31 - 9 - 4¾	267	41

Of which particulars.

Dry.

Cultivated	11 15 - 2	155	45
Cultivable	0 - 9 - 6¼	6	20
Amroji	0 - 4 - 5½	2	87
	12 - 8 - 13¾ =	164	52

Wet

cultivated	13 - 1 - 9	27	02
Bagayet			
Cultivated	0 - 4 - 14¼		51
Perambole			
Dry	5 - 13 - 15¾	75	36
	31 - 9 - 4¾ =	267	41

No Jari Inams in this village.

Sammat of in the Taluk of

		DESCRIPTION, TENURE AND	
Old assessment	Survey assessment	Description of Inam If for service, it is to be stated whether the service is continued. If for tanks, buildings, &c, whether they are efficiently kept up Hereditary or for life	Whether free of tax, &c, or liable to quit-rent, i. e., jodi, &c, amount of latter to be entered
Where no survey has been made and no assessment fixed by Government, the cess paid by the ryots to the Inamdar, or the average assessment of similar Government land, should be entered in column 7			
6	7	8	
Total Bent 69-2-6 or Rs 201-6-8 Deduct proportionately for existing hamlet Jardamitally P. 25-1-0 Balance 44-1-6 or Rs 128-3-0		For the Support of the Math mentioned in Col: 15 The Math is said to be in good order and the object for which the Inam is given are duly fulfilled	Free of tax.

5 60

Copy of

in the District

DOCUMENT IN SUPPORT OF THE INAM

By whom granted, and in what year	Written instruments in support of the claim, original sannad, all miscellaneous documents, and other proofs of long possession. In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, &c., and the general specification of terms of all documents produced should be given
10	11

5 Sannuds produced from Khaf Mahamud Shafi Muthand Khan Ali Kuli Khan and Dilwar Khan respectively directing to continue Honnenahally village to the Sringeri Mutt free of tax.

1. Takeed dated in 1800 (Copy of which is preserved in the account of 1838) by D Poornah Continuing This village and the two hamlets valued at P 69-2-6 on free tenure to the Mutt of Avam

Extent etc for T.D and 2 R Regr.

Asli case	Extent	Asstt	Jodi C.Q.M
Dry	12-3-12		
Wet	7-7-1 3/4	1286 4	
Peramboke Wet	0-9-8 1/2		
	20-0-6 1/4		
Dakali Dry	8-10-10 1/2	73-0-4	-
Wet	7-17-2		
	16-7-12 1/2		
	36-8-2 3/4	201-6-8	

of Kolar

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND

Name of original grantee	Name entered in the register prepared by Poorniah up to 1810	Name entered in the account subsequent to 1810
12	13	14
	In the Pymaish account of 1806 Asaly Honnena-halli Total Aqkat Dry 12 - 3 - 12 Wet 7 - 16 - 10 1/4 20 - 1 - 6 1/4 Of which Sundry Grams. Dry 2 - 13 - 9 1/4 Wet 2 - 9 - 6 1/4 5 - 2 - 15 1/2 Cultivated Dry 8 - 10 - 10 3/4 Wet 4 - 17 - 11 1/2 13 - 11 - 6 1/4 Cultivable Dry 0 - 16 8 Perambolke Wet 0 - 9 - 8 1/2	In the Sarva-manyam Village account of 1831 Honnenahally Asli — 1 Dakali — 2 Total Beriz P. 69 - 2 - 6 Enjoyer Avani Uddhanda Sankara Bharathi Swamy Mutt. In the hyfyet / attr of Sarva-manyam Villages prepared in 1838 Honnenahally Asli — 1 Dakali — 2 Total Beriz P. 69 - 2 - 6

Enjoyers.
Srimat Abhinava
Ththanda Vidya
Sankara Bharati
Swamy's Mutt
at Avani

5 62

Copy

of the

OF SUBSEQUENT AND PRESENT HOLDERS

Particulars regarding present owner. If the inam has been subdivided, the name, &c. of each sharer should be entered in the columns			
Residence, name and age, &c	Relation to original grantee or subsequent registered holders	Surviving heirs of the present incumbent	If unconnected with the original holders, possession how obtained, and in what year
15	16	17	18

Avani Sulbagal Taluk.

Avani Mutt

Manager

Sri Vidyaranya

Bharati Swami

Subsequent alienations.

A Ramachendra Sasty 40

Dry	Wet	Bagayet
0 - 10 - 1¼	0 - 13 - 4¾	

B. Shanbogue — do —

0 - 6 - 4¾	0 - 11 - 1½	0 - 2 - 1¼

C. Toty Chowdiga etc 3 persons

3 - 10 - 1½	0 - 12 - 2	"

D. Nriganti Narayaniga 60 and Sita 50

0 - 2 - 4½	0 - 8 - 5	
1 - 8 - 12	2 - 4 - 13¼	0 - 2 - 1¼

Division

LENGTH OF POSSESSION

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam. Assistant's opinion and recommendation	Review by the Special Assistant and confirmation by the Inam Commissioner
19	20

Asli case

From the accounts as well as the Takeed of the Dewan, this village had its two Dakali but one of them is not in existence and its land not identified. It is probable that the land of the non-existing Muzra might have long ago been incorporated with that of the ~~Nody~~ Asli village.

2. The accounts give the Beriz ~~from~~ for the [illegible] and two Dakali together being treated as one village, but the [illegible] vardenabally being situated at a distance of about 3 miles from its Asli it must be separately Registered and its assessment divided at Discretion.

3. This village has no boundary dispute and bhonds have been erected to one salient points to define the boundary.

4. There is a tank in the village which irrigates the wet crops and it depends upon rains for its supply of water, the wet crops may therefore be exempted from the irrigation cess.

5. This being a Devadayam grant requires no revision of assessment.

64

Cop

4 6. The Sayer and Abkari are reserved to the State and the Inamdar's right to the Forest, if any, is subject to the Chief Commr's Notification of 26 June 69

7. This village has no excluded jari inams.

8. To be confirmed free of tax, so long as the object of the grant is fulfilled

9. The alienation of Inam to A under the head of subsequent alienations by the present guru as a personal grant, I think, is objectionable and need not be recognised by us. The other alienations were made by former Guroos and their proceedings are justified by the exigency which are therefore admitted.

(Sd) Syed Nasarudeen,
Offg: Assistant.

18. Septr 1872.

As per jari account of 1838.

Avani Mutt.

	K.K.P	P.F.U	R.A.P
Total Tittar	not given	69.2.6	201-6-8

Particulars as follows.

Name of the village	Description of land	Extent	Beriz	Whether jari or otherwise	Jody	Proportionate 2 R	Reg: Stat No	Case No	Remarks
Sarvamanyam Honnenahally		not given	128.6.4	jari	-	-	272	1	confs orig.
Vadiyanhally.		-do-	73.0.4	-do-	-	-	273	1	-do
Total			201.6.8						

A + B are to be confirmed on one I.D to the original grantee free of tax under Rule V.

(Sd) Syed Nasamdeen
Assistant

25. 2. 74.

Boundaries.

North - the boundary of the Circar village of Lannaka.
East —— do —— do —— Nadapalli
West —— do —— do —— Lannaka.
South —— do —— do —— Kallipura.

Statistics.

Males 55, Boys 26, Females 56, Girls 17, Thatched houses 56, Mills etc - nil

Rentals during the last 10 years as per Statement furnished by the agent of the mutt.

Year	Land	Amroy	Total
1862	145	5	150
63	170	10	180
64	115	5	120
65	240	10	250
66	240	10	250
67	240	10	250
68	270	10	280
69	260	10	270
70	250	10	260
71	250	10	260
	2.180	90	10 | 2270

227 average.

Revision by the Special Assistant
O. S. [illegible]

The tenure is valid under Rules 1 and 3 as per cols 11 + 14.

2. The Paimaishy of 1806 given in col 13 should be adopted as the measurement of the Inamdars is not available.

3. One of the Dakalis having disappeared and the 2nd being situated at a distance from the Asli village and unconnected with it the Asli village may be separately dealt with as it has been customary hitherto to dispose of such Dakalis independently of their nominal Asalis. But the Barz cannot be divided at discretion. The division must be proportional to their respective recorded areas.

4. Regarding para 4 of Col: 19 it will suffice to say that all wet inams, however, irrigated are liable to irrigation Cess. The village should moreover pay the Local Funds Cess. (5) The ~~village~~ Sayer + Abkari are reserved to the Govt. The Chief Comm's Notifications of 1869 + 1871 govern the Inamdars right to the forests.

6. With regard to the Asli's para 9 we have to do with the Subsequent alienations been distinctly laid down that we not take cognizance of the Subsequent s, except by a regr. Sunt which now

Column 20 Contd.

lies to the regular tribunals. We confirm the whole Inam village in its entirety to the Mutt.

7 To be confirmed, so long as the Institution is in good order free.

(Intd) V. N. Narasimhaiyar
Assistant

10.7.73.

8. The Inamdar's wishes should be ascertained as to whether he wants the detailed or block Survey. (Intd) V. N. Narasimhaiyar
Assistant

10.7.73

Call for on Assistant for this; and for the information required in para 3 [illegible]

(Sd) [illegible]
[illegible]

16.7.73.

Confirmed on the Pymaiesh of 1806 [illegible] free So long as the Institution is in good [illegible] Condition of the grant fulfilled [illegible] gation and Local Cesses [illegible] Forest and Abkari and Forest

[illegible]
Supdt of I S

16.7.73.

The assessment has [illegible] and Correction is accordingly made [illegible] ink. The Managers of the Mutt [illegible] Survey to the Inam [illegible] report No. 315 of of 30th Aug 73.

Intd [illegible]
[illegible]

Approved
(Intd) J Puckle
16.9/ Supdt of I S

Col 20 Continued

1 Revised as per the Govt: Pros. No 14223-57 P.F 100-93 dated 17th February 1894

2. Vide the Statement received with the Survey Supt's yadi No 275 dated 30th July 1896.

	A	G	R. A	P.
Total Area & Assessment	316	0	480-4	0

Particulars.

Unculturable	53	14	1-12	0
Dry				
Cultivated	187	37	308	0
Culturable (Waste)	40	37	16 12	0 1/4
Wet				
Cultivated	25	1	114	0
Garden				
Cultivated	8	2	39	0
Culturable (waste)	0	29	0 12	0 do
Total	316	0	480 4	0

3. Finally confirmed free of tax

(Sd) J P Grant
Superintendent of Inam Settle

4.4.98

"Copy"
S.V. Vinishe as Inam Dy
For Superintendent of
Rev Survey & Inam
Settlement in Tyre

16/12/1921

Register Sheet No

Taluk - Sidlaghatta.

Village - Tatihally Jodi.

69

Copy of Register of Inams in the village of Thatkally Jade in the

CLASS, EXTENT AND VALUE OF INAM

Number of case or entire holding under one grant in this village	General class to which the Inam belongs	Survey No and name of field or fields comprised in the grant Dry, wet or garden	Extent Local measure. Even where the local measure is in acres, guntas, and annas, it is to be entered in this column	Extent Measure in acres and their fractions in decimals
1	2	3	4	5

Jamin Jada of 1802-3

Devadaya Area of the Village 269 39

Particulars.

Cultivated dry	13.22
— do — Wet	2 12
Cultivable dry	14 55
Village Site and Nalayak etc	239.50
	269 39

Dry 262 17
90 24
352.41

Wet 48 22
3 G 4 14
P 486.05
890 82

Valuation Rs.

at 8 annas	131
at 3 Rs	144
at 6 Rs	24
at 4 annas	22-8-0
	78-8-0
Total	400-0-0

Pymaishy of 1871

Area of the village 990 82

Particulars.

Cultivated Dry	262 17
— do — Wet	48 22
— do — Garden	4 14
Cultivable dry	90 24
Village Site + Nalayak	486 05
Total	990.82

Sammat of Siddlaghatta in the Taluk of

Old assessment	Survey assessment	DESCRIPTION, TENURE A	
Where no survey has been made and no assessment fixed by Government, the cess paid by the raiyats to the Inamdar, or the average assessment of similar Government land, should be entered in column 7		Description of Inam If for service, it is to be stated whether the service is continued. If for tanks, buildings, &c., whether they are efficiently kept up Hereditary or for life	Whether free of tax, &c., or liable to quit-rent, i.e. jodi, &c., amount of latter to be entered
6	7	8	
		For the Support of the Mutt which is said to be in good order	13-6-2

incorrectness of the old account the land mentioned in the Pymaishy of 1871 is situated within the recognised boundaries of

Usen Rs 13-6-2

Add for prospective improvements } 389.9.10

Total 400/-

There was a tank when the village was originally granted but it being breached, the Jodidars have built another reservoir some time ago. The latter receives its supply from the drains of the Inam village. —

There is a Sirkar Amani Tank at a distance of about 2 miles from that of the Inamdar, but there being a large high ground between the 2 Reservoirs the Inamdars' does not derive any benefit from the Sirkar work of irrigation. The Jodidars have no right to Sayer, Abkary & Forest taxes. The said acres 990.82 are within the recognised Inam boundaries. There is a difference of acres 535.46 between the Jamin Jada of 1802-3 and the present Pymaishy & it is ambited — [illegible]

in the District

DOCUMENT IN SUPPORT OF THE INAM

By whom granted and in what year	Written instruments in support of the claim, original sannad, all miscellaneous documents, and other proofs of long possession In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, &c., and the general specification or terms of all documents produced should be given
10	11

Fouzdar Lunga Raj vrs Jakeed dated 1815 directing the Amildar to Continue the village ~~and~~ to the Avani Matt on the existing jod viz Pagodas 4-6-0

Above examined

(Sd) R. A. Cole

5th July 71 Offg: Inam Commr

	K.	C.	P
Dry	2	2	3
Wet	1	0	9½
Perambolke dry	18	2	5¼
Total	21	5	1¾

	R.	A	P	Assessment Rs. A. P
Former Jodi	13	6	2	
C. Q. Rent	13	6	0	400 -0-0

of

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND		
Name of original grantee	Name entered in the register prepared by Poorniah up to 1810	Name entered in the accounts subsequent to 1810
12	13	14
	Jodi account 1801 Sringeri Matt. Beriz Pagodas 4-6-0	Jodi account 1815 Sringeri Avam Matt. Beriz & Pagodas 4-6-0
	No Inam	Jodi Pagodas 4-6-0
	Jodi 4-6-0	Jodi acctt 1821
	Jodi account 1808 Kolar Matt Jodi & Beriz Pagodas 4-6-0	-do-do-
	Jodi acctt 1810 Sringeri & Kolar Matt Beriz & Jodi Pagodas 4-6-0	Jodi acctt 1825 do-do no minor inams
		Jodi acctt -do- No Jan inams

73

of the

OF SUBSEQUENT AND PRESENT HOLDERS

Particulars regarding present owner. If the main has been subdivided, the name, &c., of each sharer should be entered in the columns			
Residence, name and age, &c	Relation to original grantee or subsequent registered holders	Surviving heirs of the present incumbent	If unconnected with the original holders, possession how obtained, and in what year
15	16	17	18

Avani

Avani Sringeri

Mutt.

The village is in the enjoyment of the present Guru Vidyavanya Bharati Swami

The Agent of the Mutt denies the existence of any Sirkar Inams called excluded grant.

Subsequent alienation.

3 Lately the priest has given 2 Coodes of Dry land to one Sadagopachary at Chagali.

Division

LENGTH OF POSSESSION

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam. Assistant's opinion and recommendation	Review by the Special [illegible] by the Inam Commr [illegible]
19	

This is a valid grant and may be confirmed on the existing jodi viz Rs 13-6-0. The Inam Commr's docket No. 122 of the 17th December 1870 directs me to report on the Register of the origin of the grant of a minor Inam particulars connected with the claim laid by the Pujari Tirumaliah.

The agent of the Mutt filed a Suit in the Siddlaghatta Taluk Court alleging that the Poojari had taken forcible possession of certain pieces of land in the Inam Village and obtained a decree in his favour. The Dy-Superintendent of Kolar on appeal reversed the original decree. When the Plaintiff preferred a Special appeal, the Amildar's decision was confirmed by the Nandidurga Supdt in No 18 of 1869-70 which seem to have been approved by the C. Commr (Vide the Secy's docket No 1745/85 of 27th June 1870 to the address of the Supdt). However, the Supdt having given an option to the Poojari to substantiate his title before the Inam Commr the last mentioned officer referred the question to me for report. I examined all the available accounts & papers of the Jodi village, but found nowhere any mention

of minor Inams, either excluded from or included in the assets of the Jodi village, but on the contrary some accts dated 1801, 25 & 33 bear a remark to the effect that there was no inam at all under these circumstances, I find that the claim of Tirumalah is untenable. From the date* of the original decree, the lands in question have been cultivated by the agent of the Mutt, but he delivers the produce in accordance with the Takeeds of the Local authorities The Prijari's Urgee No. 565 and all its enclosures are herewith submitted.

* 31st January 1869.

(Sd) C Subba Rao
Assistant

15 5 71

one Alasingrachary of the Cholama-naikan ~~Kare~~ pady Kayamgutta village Complains that the Jodidars have encroached upon his lands. The charge is denied by the defendants alleging that the bed of the old tank was belonging to the Mutt and that the question is settled many years ago. I inspected the spot and erected earth-mounds at the recognised boundaries a, b, c, d e, f, g, H. I, J, K L M N, O, P Q, R — ch the disputants as well a-

adjacent Villagers Showed to be Inam boundaries Thereupon they have executed documents to the effect that the boundary disputes are in existence

Filed with [illegible] -

21.7.71

(Sd) C. Subba Rao
Assistant.

Another Canarese petition No. 96 received with the Inam Comm's docket No. 173 of 8th. September 1871 regarding the Complaint of Timmahah alluded to above is herewith forwarded, the Subject matter of the Complaint being already given in my remarks.

(Sd) C. Subba Rao
Assistant.

16.9.71

Boundaries.

East - Hosaramiahana Kute Hab band road + Namalahally boundaries

West - Chage Village boundary + Sasana Stone.

South - Pattihally boundaries.

North - Chelamanayikanpade and Timmahahana dinne boundaries

At All these points ~~points~~ earth mounds have been erected and the adjacent [illegible]

Annual Collection

Land Revenue		
1860.	180 -o-o	Kameshumari
61	202 -o-o	Houses - 27
62	202 -o-o	Loom - 1
63.	186 -o-o	Oval - 1
64	220 -o-o	Tripulati
65.	230 -o-o	
66	220 -o-o	
67	250 -o-o	
68	250 -o-o	
69	260 -o-o	
Total	2200 -o-o.	Average Rs 220 -o-o

Review by the Special Assistant
and Confirmation by the
Sudder Commissioner

To be confirmed and continued so long as the object of the grant is fulfilled on a Jodi of Rs 13-6-0. The extent as per present Pry maishy may be adopted as there is said to be no boundary dispute and as the people of adjoining villages have certified to the correctness of the present limits. The Settlement of the Pujari's Inam referred to in para 3 is approved as it is in accordance with the finding of the Supdt and of the Chief Commr and with the entries in the account which credit the Pujari with no excluded or included Inam in this village. If he has enjoyed for a long time the tenant right of cultivation of the land under dispute he may have it fixing its land lord's share to the Mutt.

The Pujari's Inam may be endorsed accordingly.

The boundary settlement referred to in the last para may be approved. It should have been made the subject of a regular Sanct & the Stamp revenue reserved to Govt as the dispute is between two private villages not involving the interests of the Govt directly. The Sayer & Abkari as also Teak and Sandal are reserved, the other description of trees may be felled without the intimation of the Forest Department. The Mohataufa may be

left to the Inamdar as heretofore.

The Inam is Subject to the Local Fund and the Irrigation Cesses the revenue from the latter should be Spent under Rule 26 upon the Inamdar's Tanks

(Sd) B Gopaliah
Spl Assistant

26/12/71.

Confirmed on the jode of Rs 13-6-0 Subject to Local Fund & Irrigation Cesses, Sayer & Abkari are reserved as also the right to Sandal & Teak. I concur with the Special Assistant in the revision on the remaining points & the Args will be endorsed accordingly

(Sd) R A Cole
Supdt of I S.

28-3 72

Block Survey. Amil's arj No 89 of 16.10 73
(Intld) J Buckle

1 Revised as per the Dewan's Pros No 4701 9/133 dated 2nd September 1881.

2. Vide the Statement received with the Survey Supdt's Docket No 539/39 dated 21st Septr 1885.

Unculturable Dry	682 30	10-12-0
Cultivated	176 - 7	297 - 0
Culturable (Waste) Wet	87 - 30	32-00 1/4 Ast
Cultivated Garden	23 13	124-00
Cultivated	31-36	198-00
Total	1001-36	661-12-0

Finally Confirmed on the existing jode of Rs 13-6-0 avoiding fractions

(Sd) J P Grant
Supdt of I S

9 5 87

77

4. Again revised as per the Govt Pros No. 14223-5/P7 100-93 dated 17th February 1894

5. vide the Statement received with the Survey Supdt's yadi No 254 dated 21st July 1896

	A G	R A P
Total area + assessment	1001 36	611-8-0

Particulars

Unculturable	682.30	10-12-0
Dry		
Cultivated	142 27	230-0-0
Culturable (Waste)	121 10	48-12-0 ¼ Asst.
Wet		
Cultivated	23 13	124 10.0
Garden		
Cultivated	31 36	198-0-0
Total	1001-36	611-8-0

6 Finally confirmed on the existing Jodi of Rs 13-6-0

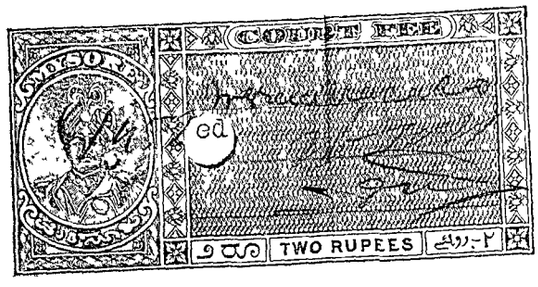
23.11 1900

(Sd) J P Grant
Supdt of I Settle

Copy"

S.V. Krishnaswami Ayr
For Superintendent of Rev Sur
Survey Settlements in Mysore

16/12/1924



BEFORE THE GOVERNMENT OF H.H.THE MAHARAJA OF MYSORE.

Petition No. of 1921-1922.

Rama Gurumurthaiya, son of Subba Bhatta, residing at Sidlaghatta, Kolar District. } Petitioner.

5602 20
9

Under Section 216 of the Mysore Land Revenue Code, the petitioner abovenamed humbly begs to - state as follows:-

1. That he has preferred an appeal against the order No.4355/Muz.435-12-6 dated the 22nd June 1921 for the resumption of the villages of Thathahalli and Honnenahalli by petitions Nos.534 & 586 dated the 19th August 1921.

2. That the abovesaid order is unsustainable for the various reasons set out in the appeal memo.

3. That after appeal Government has been - pleased to order stay of execution of the order - with respect to the resumption of the village of - Thathahalli by order No.1105/Muz.562-20-5 dated - 24th August 1921.

4. That the Amildar of Kolar had before filing the appeal taken possession of Honnenahalli in pursuance of the abovesaid order and the petitioner

has

has been put to very considerable loss by such resumption without previous n ce and without giving an opportunity to the petitioner to be heard.

5. That after resumption the Amildar has only been able to collect the present produce of the village without making any effort for future cultivation.

6. That this year there will practically be no income from the village as the ryots are not supplied with necessary manure and seed and under the circumstances, the Mutt, the petitioner and the ryots of the village will suffer very considerably.

7. That the petitioner is ready and willing to give satisfactory security to place at the disposal of Government all the income from the Village if the present appeal is decided against him.

8. If the petitioner is not put in immediate possession the liability of the Mutt will be enhanced

9. That the Amildar has also taken away the produce of appellant's own lands in addition to the Mutt lands and that will lead to unnecessary complications.

10. That by the resumption of the village the work of constructing wells which the appellant has commenced has stopped and very material loss is occasioned by the stopping of the said work in the middle.

11. That the pe tioner feels confident that the Government will pleased in appeal to set aside the order now passed.

12. WHEREFORE th petitioner humbly prays that the

the execution of the present order so far as Honnenahalli be stayed pending disposal of the appeal, and the village which has been taken - possession of by the Amildar be restored to - appellant's possession.

BANGALORE,

21. Dec. 1921.

M. Srinivasachar

ADVOCATE for the petitioner.

G. R. S. VI—G/32]

SUBJECT.....

Diary No. of letter replied to

Section Muz

File No. 562-20

Serial No 10

General and Revenue Secretariat

( )

, the 191

No

Date of issue 10-1-'22

Signed by [illegible]

To

The Deputy Commissioner
Kolar District

Sir,

I am directed to request you to kindly return the appeal petition dated 19-8-21. filed in this office by Ramaguru murthiah of Sidlaghatta which was forwarded to you with this office letter No 1095/562-20-4 dated 23rd August 1921. This

over.

has not been received with your letter No. 357/19-20 dated 28th Sep 1921

I have &c

U J 6/1/22

DJW

Jhu 6/1/22

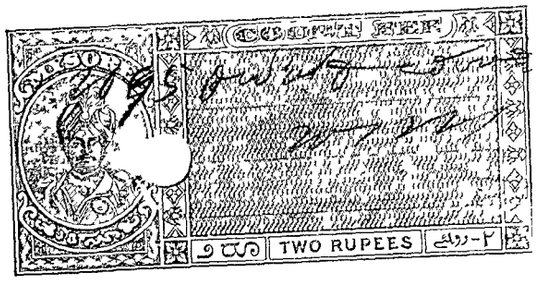
Jmt: Secretary

BG 6.1.22

List of enclosures.

Copied by

Examined by



Before the Government of His Highness the Maharaja

of M y s o r e.

To the Mutt Stt

Revenue Petition of 21-22.

Muraraj

Petitioner:-

Sri Vidyaranya Sankara Bharati Swamigalavaru

of Avani Mutt, Mulbagal Taluk, Kolar District,

Now on Circuit at

The petitioner states as follows:-

1. That the village of Honnenahalli, Kolar Taluk and the Inamti land situated in Barudagunte village, Sidlaghatta Taluk were in dilapidated -- condition and required considerable repairs to -- bring them to a fit and proper condition, and it was not possible for the Mutt to look after them conveniently and invest considerable amount over the repairs.

2. That there was no yeild from the above -- two items and the Mutt was not getting any benefit from them.

3. In order to make them beneficial, it was necessary to lease them out and with this sole --

object

object in view, Sri Vidyaranya Sankara Bharati Swamigalu, the presiding Swamigalu of the Avani Mutt leased them out to Vedamurti Ramagurumurtayya, a respectable landlord and a gentleman of affluence who is residing in Sidlaghatta.

4. The terms of the lease are exceedingly favourable to the interests of the Mutt, and -- under its terms, the lessee has deposited Rs. 400/- with the Swamigalu as security for the performance of his obligations under the lease Deed and has undertaken to repair the tank at an enormus cost and put the lands in the best condition and to pay a yearly cash rent of Rs. 375/- for 10 years - and afterwards, Rs. 400/- excluding the rent payable to Government and in consideration of these advantageous terms, the lease has been made for 80 years. The lease Deed is dated 9th of September 1912 and duly registered. Although the period is 80 years, they are liable to be resumed immediately on default of payment of rent for any single - year.

5. The lease Deed has been acted upon for the past 8 years and the lessee has invested Rs. 2,000/- and has advanced Rs. 500/- towards effecting further improvements and this lease was granted on the strength of Government having approved of a similar lease granted by the predecessor of the Swamigalu in regard to the ---- Thathahalli village, in Government order dated 11-3-05.

6. It is at this stage the Swamigalu learns with deep concern and great regret that Government have been pleased, by order No.4355 Muzrai 435-12-6 dated 22nd March 20 to direct resumption of these two items and that in pursuance of the above order, the - Amildar of Kolar took possession of Honnanahalli village in March 1921 and has been -- collecting rents and that the Amildar of -- Sidlaghatta is about to follow suit.

7. It is surprising that this action should have been taken without notifying the intention of Government to the presiding -- Swamigalu and for this reason alone, the --- order is liable to be set aside.

8. It is contended that the grant of the lease by the Swamigalu cannot be construed as an alienation at all and there is considerable judicial authority that the Head of the Mutt can grant perpectual leases on beneficial terms and such leases are binding on his successors as well.

9. It is also contended that there can be no doubt that in law the lease is binding during the life time of the Swamigalu and it is as good as being cultivated by the servants of the Swamigalu.

10. It is also contended that this grant of the lease does not come under the purview -

of

of the provisions of notification dated 17th November 1877 and that the lease is not liable to be cancelled.

11. It is also urged that, as the terms of the lease are exceedingly favourable to the Mutt by making a provision for a permanent annual income, it is but just and equitable that it should not be interfered with and especially in view of the fact that the Mutt is losing the rent in these hard times and it has become difficult to meet the monthly expenses.

12. It is also urged that the resumption itself does not seem to have been made on - - grounds of securing any advantage to the Mutt - but done at the instance of the complaint of -- an irresponsible person who bears a grudge against the Mutt.

13. It is also urged for the kind consideration of Government that the resumption has the effect of cancelling the lease and driving the lessee not only mad but to virtually compel him to sue against the Mutt for heavy damages -- and matters are certain to become complicated.

14. It is also urged that no useful purpose will be served by such a presumption as the Mutt cannot conveniently manage the properties with as much care, attention, skill resourcefulness as the lessee and it would be a heavy expenditure for Government to undertake the responsi-

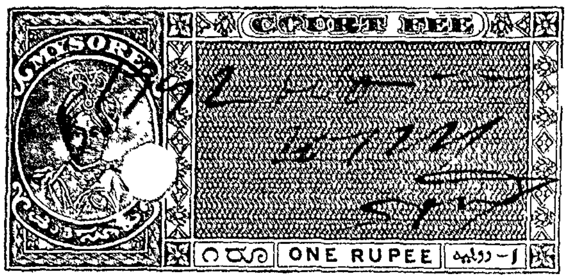
bility

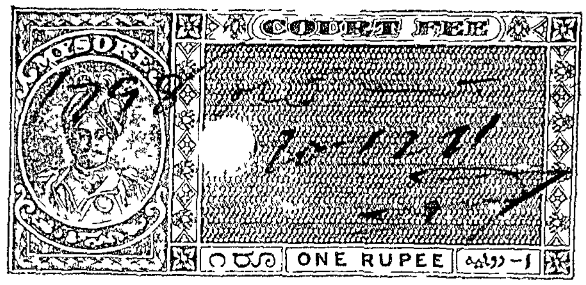
responsibility of financing the matter and looking after the cultivation of - the lands.

15. It is also urged that the resumption of the lands resulting in cancellation of the lease would have the - effect of affecting the prestige, reputation and honor of a spiritual Guru who should be an example and preceptor of truth and straight in his transactions and the Swamigalu represents with great feelings this aspect of the matter for the most favourable consideration - of Government.

Wherefore the Swamigalu desires that the benign Government of His Highness the Maharajah of Mysore will be graciously pleased to cancel the resumption and restore the lands to the lessee to be in possession under the lease Deed and protect the prestige, honor and reputation of the Swamigalu as it is hitherto been doing.

Dr. Ramachandran
advocate 20 12/21





ವಕಾಲತ್‌ನಾಮಾ.

.... ಕೋರ್ಟಿಗೆ.

....ನಂಬರು ... .192 —192 ನೇ ಇಸವಿ.

ವಾದಿ (ಅರ್ಜೀದಾರ್)	ಪ್ರತಿವಾದಿ (ಎದುರರ್ಜೀದಾರ್)

Vs.

ಬೆಂಗಳೂರು ಸಿಟಿಯಲ್ಲಿರುವ

ಮ|| ರಾ|| ಅಡ್ವೋಕೇಟ್ ಡಿ. ಯಂ. ರಾಮಚಂದ್ರರಾವ್, ಬಿ. ಎ., ಬಿ. ಎಲ್., ಯವರಿಗೆ.

....ಬರೆಯಿಸಿ **ಕೊಟ್ಟ** ವಕಾಲತ್‌ನಾಮೆ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನನ್ನ ಪರವಾಗಿ ತಾವು ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ಮೊಕದ್ದಮೆ ನಡೆಸುವದಕ್ಕೂ, **ಅರ್ಜಿ ವಗೈರೆ ಕೊಟ್ಟು**, ವಿವಾದಿಸಿ ಫೈಸಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಗೂ, ಡಿಕ್ರಿ ಜಾರೀಕ್ರಮ ನಡೆಸತಕ್ಕ ಬಗ್ಗೂ, ದಸ್ತೈವಜು ವಗೈರೆ ತೆಗೆದುಕೊಂಡು ರಶೀದಿ ಕೊಡುವದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ವಾಪಸು ಆಗತಕ್ಕ ದಾವಾ ಸ್ಟಾಂಪು, ಪ್ರೋಸೆಸ್ ಸ್ಟಾಂಪು ಮತ್ತು ಡಿಕ್ರಿ ಹಣ, ಸಾಕ್ಷಿ ಭತ್ಯ ಇತ್ಯಾದಿ ಇತರ ವಿಧವಾದ ಎಲ್ಲಾ ಮೊಬಲಗು ತೆಗೆದುಕೊಳ್ಳುವದಕ್ಕೂ ಸಹ ತಮಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಆದ್ದರಿಂದ ಈ ಭಾಗದಲ್ಲಿ ತಾವೇ ಆಗಲಿ ತಮಗೋಸ್ಕರ ಇನ್ಯಾವ ಲಾಯರೇ ಆಗಲಿ ನನಗೋಸ್ಕರ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ನಡೆಸುವ ಎಲ್ಲಾ **ಕೆಲಸಗಳನ್ನೂ** ನಾನು ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಲು ಇದರಿಂದ ಬದ್ಧನಾಗಿರುತ್ತೇನೆ.

ಮೊಖ್ತ್ಯಾರನಾಮೆಯನ್ನು
ಕೊಡುವವರ ರುಜು ಮತ್ತು ತಾರೀಖು

ಈ ಮೊಖ್ತ್ಯಾರನಾಮೆಯನ್ನು ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ಥರು ಮತ್ತು ನನ್ನ ಸಮಕ್ಷಮ ಇದಕ್ಕೆ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

accepted
D M Ramachandra Rao
adv for petr
20 . 12 . 21

K. V. Doraiswamy Iyengar
Village munsiff of Arani
Ponneri Taluk Chingleput Dist

Dated..

ವಿ. ಬಿ. ಸುಬ್ಬಯ್ಯ ಅಂಡ್ ಸನ್ಸ್, ಪ್ರಿಂಟರ್ಸ್, ಕೋಟೆ, ಬೆಂಗಳೂರು—1921.

3244

From

The Deputy Commissioner
Kolar District.

562-20-12

To

The Secretary to Government of
Mysore, Muzrai Department,
Bangalore.

Dated the 7th February 1922.

Despatched

Received

General No. H.C. 357
No. 21-22

Enclosure No. 4

Forwarding appeal petitions filed by Ramakrumurthaih of Sidlaghatta.

9-2-22

H.C. 89357 / Cg-20 Sue 4

Office of the Deputy Commissioner,

Kolar District,

Dated, Kolar, the 7th February

From

Md. Zahiruddin Mecci, Esq., B.A.,

Deputy Commissioner, Kolar District.

To

T.L. Jaya Rama Iyer, Esq., B.A., B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore, Muzrai Department

B a n g a l o r e.

Sir,

I have the honour to forward herewith appeal petitions dated 19th August 1921 filed by Rama Gurumurthiah of Sidla ~~Lag~~hatta, as requested in your letter No. 3505/Muz 562-20-10 dated 10th January 1922.

I have the honour to be,

S i r,

Your most obedient servant,

R Mallappa 7/2

Treasury Assistant Commissioner,
For Deputy Commissioner,
Kolar District.
(absent from station)

MRR.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, the *191* .

Date of issue 23-2-22

Signed by [illegible]

Section

File No.

Serial No.

No. 465

To

శ్రీ లంకర్ శిక్షణ శిబిరపు
రామప్పాంతర్ mile రామగిరి మం
కోయ్యగూడెం

ఇ॥ ఆవశ్యకతకై
ఈ కామశిబిరాన్ని కరదు
రరువడింపై కడప్పమ శ్రీ
కొలిడప్పి గ్రామానల విశా
రదపై శిబిరము 2337 గ్రా కంటె
ఎక్కువ ఎత్తు పాయింట్ల
శ్రేణి రువరు నిరిమ్పబడ్డ

నిధ్రి 2. గ్రామనల
గనిసంరాధ వల్లగా [illegible]

over.

[illegible]

10.3.915 [illegible]

2 [illegible]

3 [illegible]

4 [illegible]

5 [illegible]

6 [illegible]

7 [illegible]

8 [illegible]

9 [illegible]

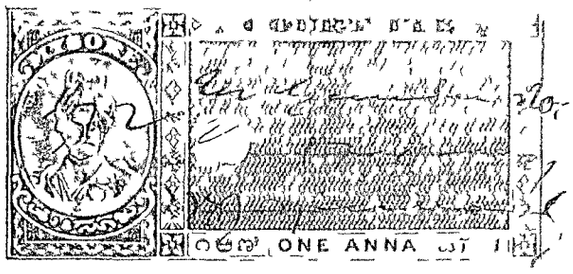
10 [illegible]

11 [illegible]

[illegible]

2.3.22.

Presented
Simpendaban
Ref 21/11/21



today
Ref 21/11/21

Before the [illegible] of [illegible]
Muzroi Department

Petitioner

R. Gundu Rau B.A., LL.B.,
Advocate, Balepet,
Bangalore City

The petitioner above named respectfully prays that a certified copy of the [illegible] passed by Government ~~[illegible] 4355,~~ ~~Muzroi 435-12-16 dated 22-6-1920,~~ their Endorsement No. 3374/11.3.1905 [illegible] as also a copy of the petn. on which the order was passed may be [illegible] furnished as he has to file the [illegible] in a ~~[illegible]~~ miscellaneous ~~case~~ petition filed by one Soorappa, Lessee [illegible] Kayamgutta Ijjavanahalli [illegible] Malur Taluq ~~in~~ before the [illegible] Commissioner, Malur Subdivision, [illegible]

Bangalore
18.11.1921

R. Gundu [illegible]

The Endt. Refd to in this appln is flagged & in the accompanying file. It is wanted by the Advocate for reference in another case unconnected with the Avani mate. The copy prayed for may be granted.

Received Copying fees & deliv the copies to Hors Clerk 21-11-21

[illegible] 21-11-21

[illegible] Ref 22/11/21

Muz 562-20 95
Sec-15

2 Abs

Proceedings of the Government of H. H. the Maharaja of Mysore.

Read --

Memo No.3375--Muz.42 of 1903 dated 11th March 1905 forwarding to the Deputy Commissioner, Kolar District, a copy of an endorsement issued to Sripathiah declining to interfere in the matter of the lease to Rama Subba Bhatta of the Jodi village of Thatahalli in the Siddlaghatta taluk, endowed to Sri Avani Matt.

Correspondence ending with letter No.4355/Muz.435-12-6 dated 22nd June 1921 to the Deputy Commissioner, Kolar District requesting him to take steps in accordance with the ~~order~~ rules laid down in the late Chief Commissioner's Notification of the 17th November 1877 for the resumption of such of the inam lands of the Matt as have been alienated by the Swamigalu.

Petition dated 10th May 1921 from Rama Gurumurtiah son of Rama Subha Bhatta appealing against the Deputy Commissioner's order directing the resumption of Jodi Thatahalli, referred to and another inam Honnenahalli village in the Kolar Taluk endowed to Sri Avani Matt.

Correspondence ending with letter No.357 dated 7th February 1922 from the Deputy Commissioner, Kolar District, report ing on the subject.

O r d e r -- No. 1516-7/Muz. 562-20-15

Dated Bangalore, 12th October '22

Owing to the mismanagement of the endowment

endowments of Sri Avani Matt by the present Swami, Government directed, in the letter of the 22nd June 1921 read above, the resumption of the inam villages etc., endowed to the Matt in pursuance of which the inam village of Thatahalli in the Sidlaghatta Taluk and Honnenahalli in the Kolar Taluk have come under Government management. Rama Gurumurtiah has now approached Government praying for the restoration of these villages to him.

2. As regards the Jodi village of Thatahalli, Sri Vidyaranya Bharati Swami, predecessor of the present Swami, leased out this village permanently to Rama Subba Bhatta, father of the appellant, under a registered lease deed dated 15th January 1892, subject to the payment of an annual gutta of Rs.400/- inclusive of Jodi and cesses. Complaints having been received from certain disciples of the Matt about the permanent lease of the village, the matter was enquired into and as the conditions of the lease were reported to be fair and equitable, Government declined in their order of March 1905 to interfere in the matter. This decision of Government arrived at over 17 years ago will stand and the village in question restored to the appellant in consequence.

3. The other inam village of Honnenahalli which is endowed to Sri Avani Matt was leased out under a registered lease deed of 9th September 1912 by the present Swami to the appellant for a period of 80 years subject to the payment of an annual gutta of Rs.375/- for 10 years and reafter, an annual gutta of Rs.400/-. The ions obtaining in the case of Thatahalli

do not exist in the case of this village and Government observe that the lease for 80 years thereof clearly amounts to an alienation and cannot therefore be recognized. The appellant has no right to continue in its possession. The Deputy Commissioner's order of resumption is confirmed and the appeal so far as it relates to this village, is rejected.

29/8/22

Secretary to Government,

Revenue Department.

29.8.22

To

The ~~Deputy~~ Mayrai Commissioner, ~~Kolar Dist.~~ in Mysore,

returning the enclosures.

The Comptroller to Govt.

GKV

G. R. S. VI—G/34]

2065

SUBJECT.....

Diary No. of letter replied to

Section [illegible]

File No. 562-20

Serial No 16

General and Revenue Secretariat

( )

, the 191

No. 1611

Thirteen

Date of issue 25-10-22

Signed by M.T.E.J. Aiyar

To

Endorsement granted by Rama Gurumurtiah son of Rama Subba Bhatta, Sidelagh with reference to his marginally noted petitions appealing against the Dt. Commr's. order directing the resum of Jodi Thatahaki village in the Sidblaghatta Taluk and inam [illegible] village in the Kolar Taluk

No	Dt.
2337	10.5.21
586 } 584 }	19-8-21.
2523	21-18-21
3708	2-3-22.

over.

99

The petr. is informed that orders of Govt. have been issued in Pro. no. 1516-7/Mun. 562-20-15 Dt. 12-11-1922, directing the restoration to the him of the Jadi village of Thatahalli in the Sidlaghatta Taluk, and confirming the Dy. Commrs. order directing the resumption of the Mam Honnenahalli village in the Kolar Taluk.

(2) No encls. to his petitions are herewith returned

By order

[signature]

Secretary to Govt.
Rev. Dept.

[signature] 17/10/22

List of enclosures.

Copied by

Examined by

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. 1516-7—Muz 562-2015, dated 12th October 1922.

storation of Thatahalli Village

Sanctions the ——endowed to Sri Avani Matt to Rama Gurumurthiah.

READ—

Memo No. 3375—Muz. 42 of 1903, dated 11th March 1905, forwarding to the Deputy Commissioner, Kolar District, a copy of an endorsement issued to Sripathiah declining to interfere in the matter of the lease to Rama Subba Bhatta of the Jodi village of Thatahalli in the Sidlaghatta Taluk, endowed to Sri Avani Matt.

Correspondence ending with letter No. 4355—Muz. 435-12-6, dated 22nd June 1921, to the Deputy Commissioner, Kolar District, requesting him to take steps in accordance with the rules laid down in the late Chief Commissioner's Notification of the 17th November 1877 for the resumption of such of the inam lands of the Matt as have been alienated by the Swamigalu.

Petition dated 10th May 1921, from Rama Gurumurtiah, son of Rama Subba Bhatta appealing against the Deputy Commissioner's order directing the resumption of Jodi Thatahalli referred to and another inam Honnenahalli village in the Kolar Taluk both endowed to Sri Avani Matt.

Correspondence ending with letter No. 357, dated 7th February 1922, from the Deputy Commissioner, Kolar District, reporting on the subject.

ORDER No. 1516-7—MUZ. 562-20-15, DATED 12TH OCTOBER 1922.

Owing to the mismanagement of the endowments of Sri Avani Matt by the present Swami, Government directed, in the letter of the 22nd June 1921 read above, the resumption of the inam villages, etc., endowed to the Matt, in pursuance of which the inam village of Thatahalli in the Sidlaghatta Taluk and Honnenahalli in the Kolar Taluk have come under Government management. Rama Gurumurtiah has now approached Government praying for the restoration of these villages to him.

2. As regards the Jodi village of Thatahalli, Sri Vidyaranya Bharati Swami, predecessor of the present Swami, leased out this village permanently to Rama Subba Bhatta, father of the appellant, under a registered lease deed dated 15th January 1892, subject to the payment of an annual gutta of Rs. 400 inclusive of Jodi and cesses. Complaints having been received from certain disciples of the Matt about the permanent lease of the village, the matter was enquired into and as the conditions of the lease were reported to be fair and equitable, Government declined in their order of March 1905 to interfere in the matter. This decision of Government arrived at over 17 years ago will stand and the village in question restored to the appellant in consequence.

3. The other inam village of Honnenahalli which is endowed to Sri Avani Matt was leased out under a registered lease deed of 9th September 1912 by the present Swami to the appellant for a period of 80 years subject to the payment of an annual gutta of Rs. 375 for 10 years and thereafter, an annual gutta of Rs. 400. The conditions obtaining in the case of Thatahalli do not exist in the case of this village and Government observe that the lease for 80 years thereof clearly amounts to an alienation and cannot therefore be recognized. The appellant has no right to continue in its possession. The Deputy Commissioner's order of resumption is confirmed and the appeal so far as it relates to this village is rejected.

Secy. to Govt., Rev. Dept.

To—The Muzrai Commissioner in Mysore, returning the enclosures.
The Comptroller to Government.

Exd.—C. R.

WD 645— C 11—[illegible]—[illegible]-10-22.